

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

EDWARD JOSEPH COBB §
TDCJ-CID #1313545 §
V. § C.A. NO. C-06-38
§
SHERIFF ARNOLD ZWICK, ET AL. §

OPINION AND ORDER OF TRANSFER

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff is presently incarcerated at TDCJ-CID's Garza East Unit in Beeville, Texas. Plaintiff sues officials in Guadalupe County, Texas. Guadalupe County is located in the Western District of Texas, San Antonio Division. 28 U.S.C. § 124(d)(4).

Venue in federal question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1331(b). A district court has the authority to transfer a case in the interest of justice to another district or division in which the action might have been brought. 28 U.S.C. §§ 1404, 1406; Balawajder v. Scott, 160 F.3d 1066, 1067 (5th Cir. 1998). The alleged events giving rise to plaintiff's claim occurred when plaintiff was incarcerated at the Guadalupe County Jail in Seguin, Texas, and the defendants are located in Guadalupe County.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Western District of Texas, San Antonio Division.

Plaintiff's motion to proceed *in forma pauperis* (D.E. 2) is denied without prejudice, subject to reconsideration after this action is transferred.

ORDERED this 1st day of February, 2006.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE